

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND**

TERRAN BIOSCIENCES, INC., UNIVERSITY OF MARYLAND, BALTIMORE, and SCOTT THOMPSON,	:	
	:	
<i>Plaintiffs,</i>	:	Civil Action No. 1:22-cv-01956-ELH
	:	
v.	:	
	:	
COMPASS PATHFINDER LIMITED, EKATERINA MALIEVSKAIA, M.D., and GEORGE GOLDSMITH,	:	
	:	
<i>Defendants.</i>	:	

PLAINTIFFS' MOTION TO STRIKE AND DISMISS COMPASS'S COUNTERCLAIMS

Plaintiffs Terran Biosciences, Inc. (“Terran”), University of Maryland, Baltimore (“UMB”) and Scott Thompson (“Thompson”) (collectively, “Plaintiffs” or “Counterclaim Defendants”), by and through the undersigned counsel, hereby move to strike and dismiss Compass’s Counterclaims (ECF No. 208). On March 27, 2025, Compass answered the Third Amended Complaint, asserting no counterclaims. ECF No. 124. On July 25, 2025, after the Court granted leave to file a Fourth Amended Complaint that made no new allegations against Compass but added two individuals as additional defendants (ECF No. 197), Compass filed an amended Answer without seeking leave, asserting four new counterclaims for the first time: Count I (fraudulent misrepresentation against UMB and Thompson), Count II (unfair competition against UMB and Thompson), Count III (unfair competition against all Counterclaim Defendants) and Count IV (tortious interference with business relations against all Counterclaim Defendants). ECF No. 208.

As set forth more fully in the accompanying Memorandum of Law, pursuant to Rule 12(f) and Rule 12(b)(6) of the Federal Rules of Civil Procedure, Compass's Counterclaims should be struck or dismissed as procedurally deficient and meritless. Compass was required to seek leave to assert the Counterclaims but failed to do so. Even if Compass had sought leave, there is no basis for leave to add new claims now, long after the deadline to amend pleadings. Moreover, even if leave to amend were granted, amendment would be futile: Compass's Counterclaims fail to state a claim and should be dismissed. For all these reasons, Plaintiffs respectfully request that this Court grant Plaintiffs' motion to strike and dismiss Compass's Counterclaims (ECF No. 208). Plaintiffs request a hearing on this motion pursuant to Local Rule 105(6).

[SIGNATURES ON NEXT PAGE]

Dated: August 15, 2025

/s/ Steven C. Cherny

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on this 15th day of August 2025, a copy of Plaintiffs' Motion to Strike and Dismiss Compass's Counterclaims was served via CM/ECF on all counsel of record.

/s/ Megan J. McGinnis

Megan J. McGinnis